



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

November 15, 1995

Ms. Christine T. Rodriguez
Staff Attorney
Legal and Compliance, MC110-1A
Texas Department of Insurance
P.O. Box 149104
Austin, Texas 78714-9104

OR95-1244

Dear Ms. Rodriguez:

You ask whether certain information is subject to required public disclosure pursuant to chapter 552 of the Government Code. Your request was assigned ID# 23064.

The Texas Department of Insurance ("the department") received a request for certain information concerning the Texas Medical Liability Insurance Underwriting Association (the "association"). You inform us that most of the requested information has been made available to the requestor, but that you seek to withhold the requested work papers based on section 552.112 of the Government Code. You submit for our review a representative sample of the work papers that you seek to withhold from required public disclosure.¹

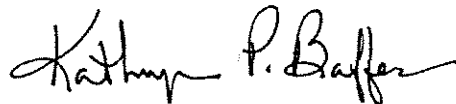
Section 552.112 applies to "information contained in or related to examination, operating, or condition reports prepared by or for an agency responsible for the regulation or supervision of financial institutions or securities, or both." Gov't Code § 552.112(a). The association is a financial institution for purposes of this exception. *See* Open Records Decision No. 158 (1977). Additionally, the information you seek to withhold is contained in or related to an examination report prepared on behalf of the department.

¹In reaching our conclusion here, we assume that the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. *See* Open Records Decision Nos. 499 (1988), 497 (1988) (where requested documents are numerous and repetitive, governmental body should submit representative sample; but if each record contains substantially different information, all must be submitted). This open records letter does not reach, and therefore does not authorize the withholding of any other requested records to the extent that those records contain substantially different types of information than that submitted to this office.

We conclude that, pursuant to section 552.112 of the Government Code, you may withhold from required public disclosure the "work papers" that relate to that examination. *See id.* at 7.

We are resolving this matter with this informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and may not be relied upon as a previous determination under section 552.301 regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, reading "Kathryn P. Baffes". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Kathryn P. Baffes
Assistant Attorney General
Open Records Division

KPB/rho

Ref: ID# 23064

Enclosures: Submitted documents

cc: Mr. Norton Rosenthal
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& Blumenthal, L.L.P.
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Dallas, Texas 75201
(w/o enclosures)